Roman I , 2014

RE: H.B. No. 1796 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 1796 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to promote the safety and well-being of students, staff, and others by establishing policies and procedures for the use of restraint and seclusion in public schools.

The Department of Education, State Council on Developmental Disabilities, Hawaii Disability Rights Center, Special Education Advisory Council, and numerous concerned individuals supported this measure. The Community Children's Council of Hawaii supported this measure with amendments.

Your Committee has amended this bill by:

- (1) Amending requirements for the written information about policies and procedures for restraint or seclusion that parents and legal guardians receive from the Department of Education, including by adding a brief summary describing the training received by public school staff;
- (2) Clarifying that it is the Board of Education that must establish a policy regarding the use of restraint and

seclusion in public schools and the Department of Education that must establish related procedures;

- (3) Adding training in a wide array of prevention and intervention modalities to the training that all public school staff who use restraint or seclusion in facilities or programs must receive;
- (4) Deleting provisions regarding the State Quality Assurance Team;
- (5) Requiring the review of data on students who were restrained or secluded to be conducted as directed by each Complex Area Superintendent;
- (6) Amending definitions for consistency and clarifying the definition of "restraint"; and
- (7) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1796, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1796, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Education,

ROY M. TAKUMI, Chair

## State of Hawaii House of Representatives The Twenty-seventh Legislature

HSCR 345-14

## **Record of Votes of the Committee on Education**

HB1796	EDN, JVD	Date:	2/3	/14
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: ☐ Pass, unamended (as is) ☐ Pass, with amendments (HD) ☐ Hold ☐ Pass short form bill with HD to recommit for future public hearing (recommit)				
EDN Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKUMI, Roy M. (C)				
2. OHNO, Takashi (VC)				
3. AQUINO, Henry J.C.				
4. AWANA, Karen				
5. CHOY, Isaac W.		~		
6. HANOHANO, Faye P.				
7. ICHIYAMA, Linda				
8. SAY, Calvin K.Y.				
9. TAKAI, K. Mark				
10. MATSUMOTO, Lauren Kealoh	ilani <u> </u>			,
11. FALE, Richard Lee		<u> </u>		
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TOTAL (11)	6	3	1	1
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				